

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE TALON GROUP, LLC,

Plaintiff,

V.

CHILEAN SEAFOOD EXCHANGE, INC.,

Defendant.

CHILEAN SEAFOOD EXCHANGE, INC.,

Counter Plaintiff,

V.

THE TALON GROUP, LLC, and RYAN'S
RESTAURANT GROUP, INC..

Counter Defendants.

This matter comes before the Court on Plaintiff's Motion for a Protective Order. (Dkt. No. 47.)

After considering the parties' relevant submissions on this matter and determining that oral argument is not necessary, the Court hereby **DENIES** Plaintiff's Motion.

Plaintiff argues that discovery should be stayed pending this Court's determination of the arbitrability of this dispute. The Federal Arbitration Act does not require such a stay merely because

ORDER - 1

1 Plaintiff has filed a motion to compel arbitration. *Britton v. Co-op Banking Group*, 916 F.2d 1405, 1412
2 (9th Cir. 1990). Rather, “[t]he district court is directed to grant a stay only when it has determined that
3 the issue is to arbitrated.” *Id.* at 1405 n.8. In this case, there has been no such determination. Thus, the
4 only remaining issue is whether the Court should exercise its discretion to impose a stay. The Court sees
5 no compelling reason to take such action at this time. Accordingly, Plaintiff’s Motion is hereby DENIED.

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8 SO ORDERED this 15th day of March, 2007.

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12 John C. Coughenour
13 United States District Judge
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